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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/348,575	07/07/1999	CARMELO ZACCONE	Q55017	5420

7590 04/23/2003

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EXAMINER

ABELSON, RONALD B

ART UNIT	PAPER NUMBER
2666	10

DATE MAILED: 04/23/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	09/348,575	ZACCONE ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
	Ronald Abelson	2666	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on 27 March 2003.
- 2a) This action is FINAL.                    2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 1-15 is/are pending in the application.
  - 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) Claim(s) 9-15 is/are allowed.
- 6) Claim(s) 1 and 5 is/are rejected.
- 7) Claim(s) 2-4 and 6-8 is/are objected to.
- 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on 07 July 1999 is/are: a) accepted or b) objected to by the Examiner.
 

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) The proposed drawing correction filed on \_\_\_\_\_ is: a) approved b) disapproved by the Examiner.
 

If approved, corrected drawings are required in reply to this Office action.
- 12) The oath or declaration is objected to by the Examiner.

#### Priority under 35 U.S.C. §§ 119 and 120

- 13) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) All b) Some \* c) None of:
    1. Certified copies of the priority documents have been received.
    2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.
- 14) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
  - a) The translation of the foreign language provisional application has been received.
- 15) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)                             | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). _____  |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)         | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ | 6) <input type="checkbox"/> Other: _____                                    |

***Claim Rejections - 35 USC § 102***

1. Claims 1 and 5 are rejected under 35 U.S.C. 102(b) as being anticipated by Dobbins (US 5,751,971).

Regarding claims 1 and 5, Dobbins teaches a method and apparatus for an Internet forwarding method (fig. 2), for forwarding Internet packets from a host connected to the Internet (fig. 2 box 16) towards a destination host (DH) (fig. 2 box 14, col. 5 lines 47 - 52), see also claims 14, connected to a private Internet network (PNW), where said Internet network (INW) and the PNW are coupled through at least one edge router (fig. 2 box 11), and where the DH is assigned a global Internet address (col. 2 lines 41 - 57) characterized in that the forwarding of the Internet packets is based only on the global Internet address (directed broadcast address, Dobbins: col. 4 lines 12-15).

***Allowable Subject Matter***

2. Claims 9-15 are allowed.
3. Claims 2-4, and 6-8 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

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4. The following is a statement of reasons for the indication of allowable subject matter.

Regarding claim 2, 6, and 9 nothing in the prior art of record teaches or fairly suggests a router daemon in combination with the other limitations of the claim.

Regarding claims 3 and 7 nothing in the prior art of record teaches or fairly suggests notifying each router by sending a protocol message at assignment of a global Internet address in combination with the other limitations of the claims.

Regarding claims 4 and 8, nothing in the prior art of record teaches or fairly suggests the edge router setting up the multicast groups in combination with the other limitations of the claims.

Regarding claim 10, nothing in the prior art of the record teaches or fairly suggests an adjacent router notification means, coupled with an input to an output of the assignment detection means and adapted to send a Resource Reservation Protocol message containing the global Internet address to an adjacent router of the destination host along a shortest path in direction of the edge router in order to update a routing-table o the adjacent router, wherein the Resource Reservation Protocol message is sent at assignment of the global Internet address in combination with the other limitations listed in the claim.

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Regarding claims 11 and 12, nothing in the prior art of the record teaches or fairly suggests the Resource Reservation Protocol message is sent at assignment of the global Internet address, in combination with the other limitations listed in the claim.

Regarding claim 13, nothing in the prior art of the record teaches or fairly suggests at least one edge router sets up a multicast group and the destination host generates a multicast join message, such that a multicast group is joined when the multicast join message is received by the at least one edge router, in combination with the other limitations listed in the claim.

Regarding claims 14 and 15, nothing in the prior art of the record teaches or fairly suggests a multicast group updating means, coupled with an input to an output of the message receptions means and adapted to interpret the multicast message containing the global Internet address of the destination host and update a multicast group in order to establish a branch of a multicast tree, wherein at least one edge router sets up the multicast group, in combination with the other limitations listed in the claim.

***Response to Arguments***

5. Applicant's arguments filed 3/27/2003 regarding independent claims 1 and 5 have been fully considered but they are not persuasive.

Regarding independent claims 1 and 5 the applicant argues Dobbin's fails to disclose that the forwarding of Internet packets is not accomplished based only on the global address as taught by the applicant. The applicant states that Dobbins teaches the use of a physical address in addition to the global IP address (pg. 7 last paragraph). The applicant refers to Dobbins (col. 10 lines 31-37). However, the passage referred to by the applicant concerns "snooping" being performed in an environment using distributed autonomous forwarding engines (Dobbins: fig. 7). The examiner has cited Dobbins (fig. 2) to teach the limitations found in independent claims 1 and 5. Dobbins, col. 5 lines 53-55, teaches that both interfaces (fig. 2 elements 12A,B) have the same IP address.

***Conclusion***

6. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ronald Abelson whose telephone number is (703) 306-5622. The examiner can normally be reached on M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Seema Rao can be reached on (703) 308-5463. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 872-9314 for regular communications and (703) 872-9314 for After Final communications.

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Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-9600.

ra  
Ronald Abelson  
Examiner  
Art Unit 2666

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April 17, 2003

Seema S. Rao  
SEEMA S. RAO 4/18/03  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2600